



Illinois Environmental Protection Agency • 2200 Churchill Road, Springfield, IL 62706

217/782-2046

St. Clair County/16304538
Enforcement Notice Letter

EPA Region 5 Records Ctr.



315963

January 30, 1984

James E. Markle, President
Wastex Research, Inc.
2000 Broadway
E. St. Louis, Illinois 62205

Dear Mr. Markle:

This Agency has previously advised Wastex Research, Inc. of possible enforcement action because of non-compliance with the conditions of your permits or violations of the Illinois Environmental Protection Act and/or Rules and Regulations of the Illinois Pollution Control Board. A list of specific alleged violations is provided as Attachment A.

This is to further advise Wastex Research, Inc. that a decision has been made to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The case will then be referred to the Illinois Attorney General's Office for legal action.

Please contact Phillip R. Vankless of the Agency's legal staff at 217/782-5544 should there be any questions regarding this matter.

Please be advised that this letter constitutes the notice required by Section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the Illinois Environmental Protection Act requires this Agency to inform you of the charges which are to be alleged, and to offer you the opportunity to meet with appropriate Agency officials within thirty days of the date of this Notice in an effort to resolve the conflicts. You should advise Mr. Van Ness if you so wish to meet with Agency officials.

Sincerely,

Robert G. Kuykendall
Mr. Robert G. Kuykendall
Manager
Division of Land Pollution Control

RGK:PVN:mgg0225d, 1

Attachment

cc: Tom Cavanagh
Ken Menzies
Bill Seltzer
Docket Control
File

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Attachment A
Apparent Violations, Wastex Research, Inc.

1. Violations of Permit No. 1981-54-OP and 1981-53:
 - A. Special Condition #1: Drums have not been appropriately labelled to identify waste stream and generator.
 - B. Special Condition #3: Adequate access aisles and non-wood pallets have not been utilized.
 - C. Special Condition #4(a): Drums in poor condition and leaking drums have not been removed and wastes therefrom have not been properly re-drummed.
 - D. Special Condition #6: Drums inventory (solvent sludge) has not been reduced at a minimum rate of 500 drums per month.
 - E. Special Condition #7(b): Special wastes have been transported to the facility without utilizing the Agency's supplemental permit and manifest system.
 - F. Special Condition #9: Incoming drummed wastes have not been segregated from existing wastes.
2. Violation of Interim RCRA Requirements - All references are to 35 Ill. Adm. Code, Part 725:
 - A. Section 725.116: Either facility personnel have not completed or taken an appropriate training course, or the owner/operator has failed to maintain appropriate documents and records of such training, job descriptions, etc.
 - B. Section 725.114: Adequate security to prevent unauthorized entry onto active portions of the facility has not been provided.
 - C. Section 725.115: Either the facility has not been properly inspected or there has been no inspection schedule developed and recorded.
 - D. Section 725.133: Facility communication, alarm, and control systems have not been properly tested and maintained.
 - E. Section 725.134: Appropriate communications and alarm systems access has not been provided.
 - F. Section 725.135: Adequate aisle space to allow unobstructed movement of personnel and response equipment has not been provided.



- G. Section 725.271: Hazardous wastes in defective containers have not been transferred to containers in good conditions as needed.
- H. Section 725.273: Hazardous waste containers have not been properly closed, stored or handled.
- I. Section 725.322: Surface impoundments have not been maintained with sufficient freeboard to prevent overtopping.
- J. Section 725.323: Earthen dikes have not been given adequate protective cover.
- K. Section 725.326: Adequate inspections of surface impoundments to ensure proper use and maintenance have not been conducted.

Each of the above violations constitutes violation of Section 21 of the Illinois Environmental Protection Act. Violation of permit conditions may also constitute violation of the Order of the Circuit Court for the 20th Judicial Circuit, St. Clair County, Illinois (No. 80-CH-261).

RGK:PVN:mgg0229d, 2-3